

Notice of Allowability

Application No.

10/615,995

Examiner

Joseph L. Williams

Applicant(s)

OHNISHI ET AL.

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/10/03.
2. ☒ The allowed claim(s) is/are 48-53.
3. ☒ The drawings filed on 7/10/03 & 12/12/03 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 08/264,497.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7/10/03 & 10/9/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows: On page 1, after "June 23, 1994", the phrase "now U.S. Patent No. 6,169,356 " has been inserted.

Allowable Subject Matter

2. Claims 48-53 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent claim 48, the prior art of record neither shows nor suggest a method of manufacturing an electron-emitting device comprised of, in part, a deposit containing carbon as a principal constituent by connecting the deposit to the electroconductive film, wherein the deposit is formed so that a gap narrower than the fissure is formed within the fissure, along with the other limitations of the claim.

Regarding independent claim 49, the prior art of record neither shows nor suggest a method of manufacturing an electron-emitting device comprised of, in part, a deposit containing a material different from the electroconductive material, as a principal constituent by connecting the deposit to the electroconductive film, wherein the deposit is formed so that a gap narrower than the fissure is formed within the fissure, along with the other limitations of the claim.

Regarding independent claim 50, the prior art of record neither shows nor suggest a method of manufacturing an electron-emitting device comprised of, in part, a film containing carbon as a principal constituent by connecting the film to the at least one of the electroconductive films, wherein the film containing carbon is formed so that a second gap narrower than the first gap is formed within the first gap, along with the other limitations of the claim.

Regarding independent claim 51, the prior art of record neither shows nor suggest a method of manufacturing an electron-emitting device comprised of, in part, a film containing a material different from the electroconductive material, as a principal constituent by connecting the film to the at least one of the electroconductive films, wherein the film containing the material different from the electroconductive material is formed so that a second gap narrower than the first gap is formed within the first gap, along with the other limitations of the claim.

Regarding independent claim 52, the prior art of record neither shows nor suggest a method of manufacturing an electron-emitting device comprised of, in part, a film containing carbon as a principal constituent by connecting the film to the electroconductive films, wherein the film containing carbon as the principal constituent is formed so that a second gap narrower than the first gap is formed within the first gap, along with the other limitations of the claim.

Regarding independent claim 53, the prior art of record neither shows nor suggest a method of manufacturing an electron-emitting device comprised of, in part, a film containing a material different from the electroconductive material, as a principal constituent by connecting the film to the electroconductive films, wherein the film containing the material different from the electroconductive material is formed so that a second gap narrower than the first gap is formed within the first gap, along with the other limitations of the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (571) 272-2465. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Joseph Williams

Examiner
Art Unit 2879